

## **Use of Medicare Prescription Drug Benefit Program Mark**

Section 1140 of the Social Security Act, 42 U.S.C. §1320b-10, prohibits the use of the Department's name and logo, the agency's name and marks, and the word "Medicare" or "Medicaid" in a manner which would convey the false impression that such item is approved, endorsed, or authorized by CMS or DHHS, or that such person has some connection with, or authorization from, CMS or DHHS.

### **Agency**

Department of Health and Human Services (DHHS), Centers for Medicare & Medicaid Services (CMS), Office of External Affairs (OEA).

### **Summary**

These usage guidelines provide information and instructions to all approved entities on the use of the Medicare Prescription Drug Benefit program mark.

**EFFECTIVE DATE: June 2005**

### **Authorized Users**

The Medicare Prescription Drug Benefit program mark is available for use by CMS staff, and partners involved in the program. CMS staff, partners, contractors and other stakeholders may use the mark after obtaining approval from CMS' Office of External Affairs.

The Medicare Prescription Drug Benefit program authorizes Medicare PDPs and MA-PDs to use the Medicare Prescription Drug Benefit program mark only after written notification of approval into the program. PDP and MA-PD entities may use the mark after submission of marketing materials consistent with marketing guidelines.

### **Use of Medicare Prescription Drug Benefit Program Mark on Items for Sale or Distribution**

Approved entities may use the Medicare Prescription Drug Benefit program mark on items they distribute, provided the item follows guidelines for nominal gifts, as stated below. Items with the Medicare name and/or the Medicare Prescription Drug Benefit program mark cannot be sold for profit.

*National Gifts Provision:* Some entities may choose to offer gifts to the public. This practice is permitted as long as the gifts are of nominal value and are provided whether or not the individual is enrolled in a CMS program. Nominal value is defined as an item worth \$15 or less, based on the retail purchase price of the item.

## **Approval**

Requests to distribute other items bearing the Medicare Prescription Drug Benefit program mark should be submitted at least thirty (30) days prior to the anticipated date of distribution. Approved requests will be effective for a period not to exceed the initial printing (for tangible items) *or* one year *or* at the time of termination from the program and only for those items for which such written approval was granted. Requests for approval should be sent to: CMS/Office of External Affairs/Visual & Multimedia Communications Group at 7500 Security Blvd., Baltimore, MD 21244-1850, Mail Stop: C1-16-03. Approved users will be directed to a link on CMS' website where the mark files can be downloaded.

## **Restrictions on Use of Medicare Prescription Drug Benefit Program Mark**

Unless otherwise approved, all unauthorized individuals, organizations, and/or commercial firms may not distribute materials bearing the Medicare Prescription Drug Benefit program mark.

Unauthorized use of the Medicare name or the Medicare Prescription Drug Benefit program mark should be reported immediately so that appropriate legal action can be taken. Reports of unauthorized use should be referred to CMS' Office of External Affairs at 7500 Security Blvd., C1-16-03, Baltimore, MD 21244-1850, or by telephone to 410.786.7214.

## **Prohibitions**

42 U.S.C. §1320b-10 prohibits the misuse of the Medicare name and marks. In general, it authorizes the Inspector General of the Department of Health and Human Services (DHHS) to impose penalties on any person who misuses the term Medicare or other names associated with DHHS in a manner which the person knows or should know gives the false impression that it is approved, endorsed, or authorized by DHHS.

Offenders are subject to fines of up to \$5,000 per violation or in the case of a broadcast or telecast violation, \$25,000.

## Medicare Prescription Drug Benefit Program Mark Guidelines

### *Positive Program Mark*

The Medicare Prescription Drug Benefit program mark is a logotype comprised of the words Medicare Rx with the words Prescription Drug Coverage directly beneath.



**Always use reproducible art available electronically. Do not attempt to recreate the program mark or combine it with other elements to make a new graphic. Artwork will be supplied in .EPS, .TIFF or .JPG format after notification of approval into the program. Other file formats are available from CMS' Office of External Affairs upon request.**

### *Negative Program Mark*

The Medicare Prescription Drug Benefit program mark may be reversed out in white. The entire mark must be legible.



### *Approved Colors*

The 2-color mark is the preferred version. It uses burgundy and 65% process black. It is recommended that if the DHHS logo and/or the CMS mark are used in conjunction with the brand mark, that the black versions of those logos be used.



The 1-color version in grayscale is acceptable. The mark elements are 100% black except for the word “Medicare” which is 55% black.



The 1-color version in 100% black also is acceptable.



### ***Languages***

The Spanish version of the Medicare Prescription Drug Benefit program mark may be used in place of the English language version on materials produced entirely in Spanish. The 2-color version is preferred, but the grayscale, black and negative versions may be used.



### ***Size***

To maintain clear legibility of the program mark, never reproduce it at a size less than 1" wide. The entire mark must be legible.



### ***Clear Space Allocation***

The clear space around the Medicare Prescription Drug Benefit program mark prevents any nearby text, image or illustration from interfering with the legibility and impact of the mark. The measurement “x” can be defined as the height of the letter “x” in “Rx” in the program mark. Any type or graphic elements must be at least “x” distance from the mark as shown by the illustration.



### ***Bleed Edge Indicator***

The program mark may not bleed off any edge of the item. The mark should sit at least 1/8" inside any edges of the item.

### ***Incorrect Use***

- Do not alter the position of the mark elements.
- Do not alter the aspect ratio of the certification mark. Do not stretch or distort the mark.
- Always use the mark as provided.
- Do not rotate the mark or any of its elements.
- Do not alter or change the typeface of the mark.
- Do not alter the color of any of the mark elements.
- Do not position the mark near other items or images. Maintain the clear space allocation.
- Do not position the mark to bleed off any edge. Maintain 1/8" safety from any edge.
- Do not use any of the mark elements to create a new mark or graphic.
- Do not use the mark on background colors, images or other artwork that interfere with the legibility of the mark.

## Card Design

- Usage of the Medicare Prescription Drug Benefit program mark on any item must follow the guidelines.
- On the card, the mark must be positioned within the bottom third of the card.
- Included on the card must be the words: “Prescription Drug Plan.” It must be in no smaller than 10 point type and should be positioned within the top third of the card. The type must not bleed and it must be legible.

<b>Part D Plan Sponsor Name/Logo</b>		<div>sponsor logo place- holder</div>
<b>RxBin</b>	<b>999999</b>	
<b>RxPCN</b>	<b>ABC1234567</b>	
<b>RxGrp</b>	<b>ABC123456789</b>	
<b>Issuer</b>	<b>(80840)</b>	
<b>ID</b>	<b>12345678901</b>	
<b>Name</b>	<b>JOHN Q PUBLIC</b>	
		<b>MedicareRx</b> Prescription Drug Coverage
		<b>CMS - 85555 XXX</b>